

Voluntary Sterilization Bill

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Bill No: 41/1968

Read the first time: 3rd December 1968

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Expenditure of Public Money

Voluntary Sterilization Bill

Bill No. 41/1968

Read the first time on 3rd December 1968.

An Act to provide for the establishment of a Board to authorise treatment for voluntary sexual sterilization by registered medical practitioners, subject to certain safeguards, on medical, social or eugenic grounds, and to provide for such treatment in certain circumstances without the authority of the Board; to amend the Singapore Family Planning and Population Board Act, 1965 (No. 32 of 1965) and for matters connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1. This Act may be cited as the Voluntary Sterilization Act, 1968, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Duration of Act

2.—(1) This Act shall continue in force for a period of four years from the date of the coming into operation thereof:

Provided that the Minister may, from time to time by notification in the *Gazette*, extend such period for a further period of not more than one year.

(2) The expiry of this Act shall not affect the operation thereof in respect of things previously done or omitted to be done thereunder.

Interpretation

3. In this Act, unless the context otherwise requires —

“applicant” means a person of twenty-one years of age or over who applies to the Board requesting authorisation for treatment for sexual sterilization, and in the case of a person under twenty-one years of age means the parent or guardian of such person;

“approved institution” means any hospital, maternity home, clinic or other place approved by the Minister for the purposes of this Act;

“Board” means the Eugenics Board constituted under section 4 of this Act;

“Government hospital” means any hospital, maternity home or clinic under the control of the Minister;

“registered medical practitioner” means a person registered under the Medical Registration Ordinance (Cap. 191);

“treatment for sexual sterilization” means the surgical sterilization of a male or female that does not involve removal of the reproduction glands.

Establishment and composition of Board

4.—(1) For the purposes of this Act, there shall be established a Board to be called “the Eugenics Board”.

(2) The Board shall consist of five members of whom —

(a) one shall be a person possessing the qualifications required for a District Judge under section 56 of the Subordinate Courts Ordinance (Cap. 3), who

shall be Chairman;

- (b) two shall be persons who are registered medical practitioners one of whom shall be employed in the public service; and
- (c) two to be appointed by the Minister one of whom has had experience in social welfare work.

(3) Letters of appointment of the members of the Board under paragraphs (a), (b) and (c) of subsection (2) of this section shall issue from the Minister.

(4) The Chairman shall preside at all meetings of the Board and shall have a right to vote on any question coming before or arising at any meeting of the Board and in the absence of the Chairman such member, as the members present may elect, shall act as Chairman.

(5) The members of the Board appointed by the Minister under the provisions of paragraphs (a), (b) and (c) of subsection (2) of this section shall, unless an appointment is revoked by the Minister under the provisions of subsection (6) of this section or unless they resign during their term of office, hold office for a period of three years or for such shorter period, as the Minister may, in any case, determine.

(6) The Minister may at any time revoke the appointment of any member of the Board appointed under paragraphs (a), (b) and (c) of subsection (2) of this section.

(7) If a vacancy occurs in the membership of the Board by death, resignation, revocation of the appointment under subsection (6) of this section, or for any other cause, the Minister shall appoint a qualified person to fill the vacancy in accordance with subsection (2) of this section and any person so appointed shall hold office so long as the member in whose place he is appointed would have held office.

(8) The quorum at all meetings of the Board shall be three members present, and no business shall be transacted unless a quorum is present.

(9) All questions coming before or arising at any meeting of the Board shall be decided by a majority of the members present and voting therein at that meeting of the Board, and in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

(10) The Board shall not be precluded from holding any meeting or acting in any matter merely by reason of any vacancy or vacancies in its membership.

(11) The Minister may, by notification in the *Gazette*, vary the composition of the Board or the number of its members and provide in what manner additional members, if any, shall be appointed.

(12) The Board shall sit at such times and in such places as it may decide and, subject

to this section, shall regulate its own procedure at meetings.

Treatment for sexual sterilization

5.—(1) Notwithstanding the provisions of any written law, but subject to the provisions of this section, it shall be lawful for a registered medical practitioner, acting on the authorisation of the Board, to carry out treatment for sexual sterilization.

(2) The Board may authorise treatment for sexual sterilization on any applicant of twenty-one years of age, or over, if —

- (a) such applicant applies to the Board in writing requesting treatment for sexual sterilization and giving consent to such treatment;
- (b) such request is accompanied by a consent in writing of the wife or husband, if there is one, of the applicant; and
- (c) such applicant is the father or mother, as the case may be, of three or more existing children.

(3) The Board may authorise treatment for sexual sterilization of a person under the age of twenty-one years if —

- (a) the parent or parents, if they are living, or the guardian of such person, if there is no parent living, applies in writing to the Board requesting such treatment and certifies consent to such treatment;
- (b) such person is afflicted with any hereditary form of illness that is recurrent, mental deficiency or epilepsy; and
- (c) the Board considers that the treatment is in the best interest of such person and of society generally.

(4) The Board shall not authorise treatment for sexual sterilization to be carried out unless a period of thirty days has elapsed from the date of the request in writing to the Board by the applicant for such treatment; and the applicant may at any time during that period and before the treatment is carried out withdraw his request for, or consent to, such treatment.

(5) At the time the request in writing is made by the applicant to the Board, and before the period of thirty days has begun to run, the Board shall interview the applicant and give to the applicant a full and reasonable medical explanation as to the meaning and consequences of such treatment and the applicant shall certify to the Board, in such form as the Board may decide, that he clearly understands the meaning and consequences of such treatment.

Treatment for sexual sterilization on medical or therapeutic grounds